



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/600,797

06/20/2003

Eric D. Brill

MS1-4081US

9695

22801 7590 09/25/2009
LEE & HAYES, PLLC
601 W. RIVERSIDE AVENUE
SUITE 1400
SPOKANE, WA 99201

EXAMINER

HICKS, MICHAEL J

ART UNIT

PAPER NUMBER

2165

NOTIFICATION DATE

DELIVERY MODE

09/25/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10600797	6/20/2003	BRILL, ERIC D.	MS1-4081US

LEE & HAYES, PLLC
601 W. RIVERSIDE AVENUE
SUITE 1400
SPOKANE, WA 99201

EXAMINER

Michael J. Hicks

ART UNIT	PAPER
2165	20090922

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Examiner notes that the Appeal Brief filed 8/17/2009 only corrects deficiencies in the Summary of Claimed Subject Matter as noted in the Notice of Non-Compliant Appeal Brief mailed 8/17/2009. Because the filing does not change the scope of the claims or arguments presented in the Brief as originally filed, Examiner notes that the the Examiners Answer mailed on 4/24/2009 is considered responsive to the Appeal Brief filed 8/17/2009 and should be referred to for the purpose of further prosecution and consideration by BPAI.

/Neveen Abel-Jalil/
Supervisory Patent Examiner, Art Unit 2165

/Michael J Hicks/
Examiner, Art Unit 2165